

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**TRINITY INDUSTRIES, INC.,
TRINITY INDUSTRIES RAILCAR
CORPORATION,**

Plaintiffs,

V.

CIVIL ACTION NO. 08-1498

**GREENLEASE HOLDING
COMPANY,**

Defendant.

JUDGMENT ORDER

AND NOW, this 28th day of March, 2016, for the reasons set forth in the accompanying findings of fact and conclusions of law, judgment is entered in favor of plaintiffs Trinity Industries, Inc. and Trinity Industries Railcar Corporation (the “Trinity plaintiffs”) and against defendant Greenlease Holding Company (“Greenlease”) with respect to the Trinity plaintiffs’ claims asserted under the Comprehensive Environmental Response, Compensation and Liability Act (“CERCLA”), 42 U.S.C. § 9601 et seq. and its Pennsylvania state law counterpart, the Hazardous Sites Cleanup Act (“HSCA”), 35 PA. CONS. STAT. § 6020.101 et seq.

IT IS FURTHER ORDERED that 62% percent of the response costs incurred by the Trinity plaintiffs the during the cleanup of the North Plant located in Greenville, Pennsylvania, through February 2015, are allocated to Greenlease and shall be paid by Greenlease.

IT IS FURTHER ORDERED that a declaratory judgment is entered in favor of the Trinity plaintiffs and against Greenlease with respect to the future costs for the operations and maintenance of the North Plant located in Greenville, Pennsylvania, which have been and will be incurred by the Trinity plaintiffs, beginning in March 2015. Sixty-two percent of the future costs

for operations and maintenance of the North Plant located in Greenville, Pennsylvania, are allocated to Greenlease and shall be paid by Greenlease.

IT IS FURTHER ORDERED that Greenlease shall pay to the Trinity plaintiffs prejudgment interest at the rate set forth in 42 U.S.C. § 9607(a)(4), which incorporates the interest rate calculation set forth in 26 U.S.C. § 9507(d)(3)(C). The Trinity plaintiffs shall meet and confer with Greenlease to establish the appropriate calculation of prejudgment interest in this case, and no later than thirty days after the entry of this order file with the court their interest calculation.

IT IS FURTHER ORDERED that Greenlease shall pay 62% of the Trinity plaintiffs' litigation costs other than attorneys' fees, pursuant to Federal Rule of Civil Procedure 54(d)(1).

IT IS FURTHER ORDERED that judgment is entered in favor of Greenlease and against the Trinity plaintiffs with respect to the Trinity plaintiffs' claims asserted under sections 701, 702, and 1101 of the HSCA.

IT IS FURTHER ORDERED THAT Greenlease's motion to strike (ECF No. 359) will be denied as moot.

IT IS FURTHER ORDERED that the clerk shall mark this case closed.

IT IS SO ORDERED.

/s/ JOY FLOWERS CONTI

Joy Flowers Conti

Chief United States District Judge